ORDINANCE NO. 2086

AN ORDINANCE OF THE CITY OF REDMOND. WASHINGTON, RE-ADOPTING AND RE-ENACTING, BOTH RETROACTIVELY AND PROSPECTIVELY, ALL TAX, FEE, AND UTILITY CHARGE ORDINANCES AND RESOLUTIONS PASSED BY THE CITY COUNCIL FROM JULY 2, 1999 THROUGH DECEMBER 31, 1999; RATIFYING, ADOPTING, AND ENACTING ALL ADMINISTRATIVE FEE INCREASES MADE BY THE MAYOR AND CITY STAFF FROM JULY 2. 1999 THROUGH DECEMBER 31, 1999 PURSUANT TO THE CITY'S USER FEE RESOLUTIONS; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE ARE SEVERABLE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Initiative 722 was passed by the voters of the state on November 7, 2000, and

WHEREAS, lawsuits have been filed by Seattle and other public agencies in order to determine the validity of Initiative 722 and the outcome of those lawsuits is uncertain, and

WHEREAS, if Initiative 722 is found to be valid, various tax, fee, and utility charge ordinances and resolutions enacted by the Redmond City Council between July 2, 1999 and December 31, 1999 would be retroactively repealed, and

WHEREAS, if Initiative 722 is found to be valid, certain user fee increases made by the Mayor and City staff between July 2, 1999 and December 31, 1999 pursuant to the user fee resolutions passed by the City Council and deemed necessary to defray increased costs would also be retroactively repealed, and

WHEREAS, if Initiative 722 is found to be invalid, such taxes and fees would continue to apply, and

WHEREAS, given the revenue implications for the City and in order to resolve the uncertainty of which taxes and fees of the City will be enforced and at what level, the City Council deems it necessary to re-adopt and re-enact all tax, fee, and utility charge ordinances and resolutions passed from July 2, 1999 through December 31, 1999, and to ratify, adopt, and enact all administrative fee increases made by the Mayor and City staff during said period pursuant to user fee resolutions passed by the City Council, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Tax, Fee, and Utility Charge Ordinances and Resolutions. The following ordinances and resolutions relating to taxes, fees, and utility charges, that were adopted by the Redmond City Council from July 2, 1999 through December 31, 1999 are hereby re-adopted and re-enacted:

Ordinance No.	Date of Passage
2036 (Increase Installation Charge for Water Meters)	11/1/99
2037 (Regional Capacity Charge for CWA)	11/1/99
2040 (2000-2004 Stormwater Rates)	11/23/99
2041 (Stormwater Capital Facilities Charge)	11/23/99
2049 (Fire and Park Impact Fees)	12/14/99
2054 (Increase Water and Sewer Rates)	12/14/99
2056 (Transportation Impact Fees)	12/14/99
2057 (Reciprocal Collection of Transportation Impact Fees	s) 12/14/99

Resolution No.	Date of Passage
1099 (Subdivision Development Review Fee)	10/05/99
1101 (Outsource Copying and Large Map Fees)	10/19/99
1107 (Traffic Modeling for Concurrency Testing)	12/07/99

Said re-adoption and re-enactment is hereby made retroactive to the original effective dates of said ordinances and resolutions, and the provisions of said ordinances and resolutions shall apply both retroactively to said dates and prospectively from and after the effective date of this ordinance. As used in this ordinance, the term "tax" shall have the same meaning as set forth in Initiative 722, passed by the voters of the state on November 7, 2000.

Section 2. Fees Adopted Administratively. All user fees and fee increases adopted administratively by the Mayor and City Staff from July 2, 1999 through December 31, 1999 pursuant to City Council Resolutions 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1078, 1080, 1099, 1101, and 1107 are hereby ratified, approved and enacted by the City Council. Said ratification, approval, and enactment is hereby made retroactive to the original effective date of such fees or fee increases and the said fees shall apply both retroactively to the said effective dates and prospectively from and after the date of this ordinance. Said fees may be further increased administratively as provided in the user fee resolutions originally establishing them, according to the parameters set forth in said resolutions.

<u>Section 3</u>. <u>Severability</u>. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance, being the exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND
/S/ MAYOR ROSEMARIE M. IVES

ATTEST/AUTHENTICATED: /S/ CITY CLERK BONNIE MATTSON

APPROVED AS TO FORM: OFFICE OF THE CITY ATTORNEY: /S/ JAMES E. HANEY

FILED WITH THE CITY CLERK:

PASSED BY THE CITY COUNCIL:

SIGNED BY THE MAYOR:

PUBLISHED:

EFFECTIVE DATE:

November 27, 2000

November 28, 2000

December 1, 2000

December 6, 2000